

Message Text

UNCLASSIFIED

PAGE 01 BERN 01019 110754Z
ACTION EUR-12

INFO OCT-01 IO-13 ISO-00 PER-03 SSO-00 L-03 /032 W
-----110756Z 120818 /15

O 110732Z MAR 77
FM AMEMBASSY BERN
TO SECSTATE WASHDC IMMEDIATE 4034
INFO USMISSION GENEVA

UNCLAS BERN 1019

EO 11652: NA
TAGS: AFSP APER PGOV
SUBJ: INCLUSION OF 13TH MONTH BONUS IN CSR BASE

REF: ELLIOTT - GEISEL TELCON OF 3/10/77

1. COMMENTARY BELOW REFERS TO LEGAL QUESTIONS ON SWISS
TREATMENT OF 13TH MONTH BONUS.

2. 13TH MONTH BONUS MAY BE WITHHELD IN CASE OF FRAUD COMMITTED
BY EMPLOYEE. ACTUALLY, ALL PAYMENTS DUE AN EMPLOYEE, INCLUDING
HIS SALARY MAY BE WITHHELD IN CASE OF FRAUD. AS THE
DEPT IS PROBABLY AWARE, SWISS LAW HAS ALWAYS CONSIDERED
FRAUD TO BE A MOST SERIOUS CRIME. DEFINITIONS AND REMEDIES
ARE MINUTELY DETAILED IN SWISS CODE OF OBLIGATIONS.

3. THE REASON THAT THE 13TH MONTH BONUS IS COVERED UNDER
THE FIRST PILLAR (AVS) AND NOT UNDER THE SECOND PILLAR
(PRIVATE PENSIONS) IS THAT AS OF THIS DATE, THE SECOND PILLAR
IS STILL COMPLETELY VOLUNTARY, ALTHOUGH ALL PROGRESSIVE
CONCERNS HAVE SOME SORT OF A SECOND PILLAR SCHEME.
DR THOMAS ERNY, WINTERTHUR INSURANCE'S LEGAL EXPERT
ON SECOND PILLAR LEGISLATION, HAS ADVISED US THAT
WHEN THE SECOND PILLAR BECOMES A MANDATORY REQUIREMENT,
BOTH BASIC SALARIES AND THE 13TH MONTH BONUSES MUST BE TAKEN
INTO ACCOUNT UP TO A SPECIFIED LIMIT (CURRENTLY 37,800 SF,
UNCLASSIFIED

UNCLASSIFIED

PAGE 02 BERN 01019 110754Z

WHICH WILL BE PERIODICALLY RAISED).

4. WE ARE STILL AWAITING THE DEPT'S FAVORABLE RESPONSE. WE
WILL HAVE TO DELAY IMPLEMENTATION OF THE NEW WAGE SCALE
UNLESS WE HAVE THAT RESPONSE. DAVIS

UNCLASSIFIED

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: PERSONNEL, WAGES, LAW, HONOR AWARDS
Control Number: n/a
Copy: SINGLE
Sent Date: 11-Mar-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01-Jan-1960 12:00:00 am
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977BERN01019
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D770084-0134
Format: TEL
From: BERN
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19770371/aaaacjxz.tel
Line Count: 60
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 84e03dba-c288-dd11-92da-001cc4696bcc
Office: ACTION EUR
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: n/a
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 27-Sep-2004 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 3143462
Secure: OPEN
Status: NATIVE
Subject: INCLUSION OF 13TH MONTH BONUS IN CSR BASE
TAGS: AFSP, APER, PGOV
To: STATE
Type: TE
vdkgvwkey: odhc://SAS/SAS.dbo.SAS_Docs/84e03dba-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009